

SENATE RECORD VOTE ANALYSIS

106th Congress
2nd Session

Vote No. 63

April 6, 2000, 8:59 p.m.
Page S-2334 Temp. Record

BUDGET RESOLUTION/No HUD Grants for "Smoke Shops"

SUBJECT: Senate Concurrent Budget Resolution for fiscal years 2001-2005 . . . S.Con. Res. 101. Inouye motion to table the Bond amendment No. 2913.

ACTION: MOTION TO TABLE FAILED, 19-81

SYNOPSIS: As reported, S. Con. Res. 101, the Senate Concurrent Budget Resolution for fiscal years 2001-2005: will set total spending at \$1.829 trillion and total revenues at \$2.003 trillion; will cut the debt held by the public (money that the Federal Government owes to creditors other than itself) by \$174 billion in fiscal year (FY) 2001 and by \$996 billion over the next 5 years; will fully fund Medicare (all of the President's proposed \$14 billion in Medicare provider cuts were rejected); will set aside \$40 billion for FYs 2001-2005 in a reserve fund for legislation to comprehensively reform Medicare while providing seniors with a prescription drug benefit; will save the entire \$976 billion in Social Security trust fund surpluses over the next 5 years for debt reduction and will enforce those savings through a 60-vote point of order; will ensure a non-Social Security budget surplus for the third year in a row (which will mark the first time since 1947-49 that the Federal budget has been balanced for 3 years running); will provide for \$13 billion in tax relief for FY 2001 and \$150 billion over the next 5 years (which will be sufficient relief to address the marriage penalty tax, to provide increased health care access to the uninsured, to adopt small-employer tax relief, and to expand educational opportunities); will adhere to the FY 2001 discretionary caps of \$578 billion in outlays but will establish a mechanism to adjust these statutory caps to \$623 billion; will create a firewall to protect the defense budget from being raided for other spending; and will create new points of order to limit advance appropriations, delayed obligations, and the use of the emergency spending designation for non-emergency spending.

The Bond amendment would express the sense of the Senate that the funding levels in this resolution assume that the Department of Housing and Urban Development (HUD) will be prohibited from using Federal funds to provide a grant or other assistance to construct, operate, or otherwise benefit a smoke shop or other tobacco outlet. The amendment would make several findings, including that children are particularly susceptible to price differentials in cigarettes, that discount tobacco stores, sometimes known as smoke shops, sell high volumes of cigarettes at reduced prices, and that the Department of Housing and Urban

(See other side)

YEAS (19)		NAYS (81)				NOT VOTING (0)	
Republicans (5 or 9%)	Democrats (14 or 31%)	Republicans (50 or 91%)		Democrats (31 or 69%)		Republicans (0)	Democrats (0)
Campbell	Akaka	Abraham	Hatch	Baucus	Kennedy		
Helms	Biden	Allard	Hutchinson	Bayh	Kerrey		
Murkowski	Cleland	Ashcroft	Hutchison	Bingaman	Kerry		
Stevens	Daschle	Bennett	Inhofe	Boxer	Kohl		
Warner	Edwards	Bond	Jeffords	Breaux	Landrieu		
	Hollings	Brownback	Kyl	Bryan	Lautenberg		
	Inouye	Bunning	Lott	Byrd	Leahy		
	Levin	Burns	Lugar	Conrad	Lieberman		
	Moynihan	Chafee	Mack	Dodd	Lincoln		
	Murray	Cochran	McCain	Dorgan	Mikulski		
	Reid	Collins	McConnell	Durbin	Reed		
	Robb	Coverdell	Nickles	Feingold	Sarbanes		
	Rockefeller	Craig	Roberts	Feinstein	Schumer		
	Wellstone	Crapo	Roth	Graham	Torricelli		
		DeWine	Santorum	Harkin	Wyden		
		Domenici	Sessions	Johnson			
		Enzi	Shelby				
		Fitzgerald	Smith, Bob				
		Frist	Smith, Gordon				
		Gorton	Snowe				
		Gramm	Specter				
		Grams	Thomas				
		Grassley	Thompson				
		Gregg	Thurmond				
		Hagel	Voinovich				

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

Development is using Federal funds to construct not less than 6 smoke shops or facilities that contain smoke shops.

The amendment was offered after all debate time had expired. However, 2 minutes of debate were permitted by unanimous consent. After debate, Senator Inouye moved to table the amendment. Generally, those favoring the motion to table opposed the amendment; those opposing the motion to table favored the amendment.

NOTE: After the vote, the amendment was adopted by voice vote.

Those favoring the motion to table contended:

This amendment, intentionally or not, would discriminate against Indians. It would not go after stores such as Wal-Mart that sell discount cigarettes; in practical effect, it would only prevent HUD assistance from going toward smoke shops that are owned and operated by Native Americans. We by no means want to encourage more smoking by Native Americans; the rate of smoking in Native communities is already the highest in the country. Our only objection is that we do not want to see Indians singled out for discriminatory treatment. If an amendment were offered that effectively stopped aid from going to anyone who sold discount cigarettes, we would happily support it. However, we cannot support this discriminatory amendment.

Those opposing the motion to table contended:

The purpose of this amendment is to stop HUD from using community development block grant funds to build discount smoke shops. HUD is currently paying to build at least 6 such shops. We asked the Clinton/Gore Administration officials at HUD to stop this practice, but they refused because they said they we had failed to prove that selling discount cigarettes encourages smoking. Both the Surgeon General and the National Institutes of Health have found that lower prices for cigarettes encourage smoking, particularly by children, but that is not good enough for HUD. Some of our colleagues have suggested that this amendment is discriminatory against Native Americans. We believe our colleagues are mistaken. The wording of the amendment clearly would make it apply to all tobacco outlets, regardless of who may own them. HUD simply should not be using taxpayer funds to subsidize discount smoke shops. HUD officials have told us that if Congress goes on record as being opposed to this practice, it will relent. The Bond amendment would put the Senate on record as being against this subsidization. We urge our colleagues to support this amendment.